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The Historical Background  
of Indian Reserves and  
Settlements in the Province of Quebec



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## A. INTRODUCTION



This report presents a comprehensive historical review of Indian reserves in the province of Quebec. It is expected that such a review will be of use to researchers and Indian organizations. The first section places reserve policy in the context of Indian policy generally as it developed in Quebec. The next section includes a brief historical account of the creation of each of the various reserves. The final section presents in greater detail the history of three reserves which have been characterized by long-standing disputes over land title.





B. HISTORICAL BACKGROUND TO RESERVES IN QUEBEC



## I. INDIAN RESERVES IN NEW FRANCE

During the French colonial period (roughly 1600-1760) several Indian settlements were established by Catholic missionaries along the St. Lawrence River. Generally speaking the intent of these early reserves was to Christianize and assimilate the Indian population by isolating them from their nomadic hunting and gathering way of life. Circumstances also made these settlements refugee camps for native converts persecuted in their own villages and for survivors of wars and epidemics. Since the French did not recognize the concept of aboriginal title, reserves were not considered compensation for territory occupied or used by Eurocanadian settlers. Indeed, such compensation would have been unnecessary since during the French period the Native population felt no pressure on their traditional hunting territories from the few thousand colonists inhabiting the St. Lawrence corridor.

The first Indian settlement in New France was established near Quebec in 1637 by the Jesuits. Named Sillery after Noel Brulart de Sillery, a wealthy merchant and member of the Company of the Hundred Associates, who donated the funds to erect buildings and prepare the fields for planting, the village at first enjoyed modest success and by 1645 had a population of 167 Christian converts. However, despite the enthusiasm of

the inhabitants the Sillery mission failed to reach its objective. The Jesuits were impeded by a lack of funds after the death of de Sillery, the poverty of the Indian inhabitants and their reluctance to adopt an agricultural way of life. To make matters worse, in the first years the Indians experienced poor crops resulting in a meagre return for their labour.

In order to save the mission from complete collapse the Company in 1651 granted the Indians title to the land at Sillery under the direction of the Jesuits, as well as fishing rights in the St. Lawrence River opposite the land. Unlike other grants to Indians, this land was actually owned by them, although under the letters patent they were forbidden to sell it or allow any fishing and hunting by outsiders without the consent of the Jesuits. The seigneurie of Sillery has therefore been regarded as the first Indian reserve in Canadian history. Nevertheless, a change of status did not preserve the settlement. Gradually the Indians deserted it and eventually the land returned to French hands.<sup>1</sup>

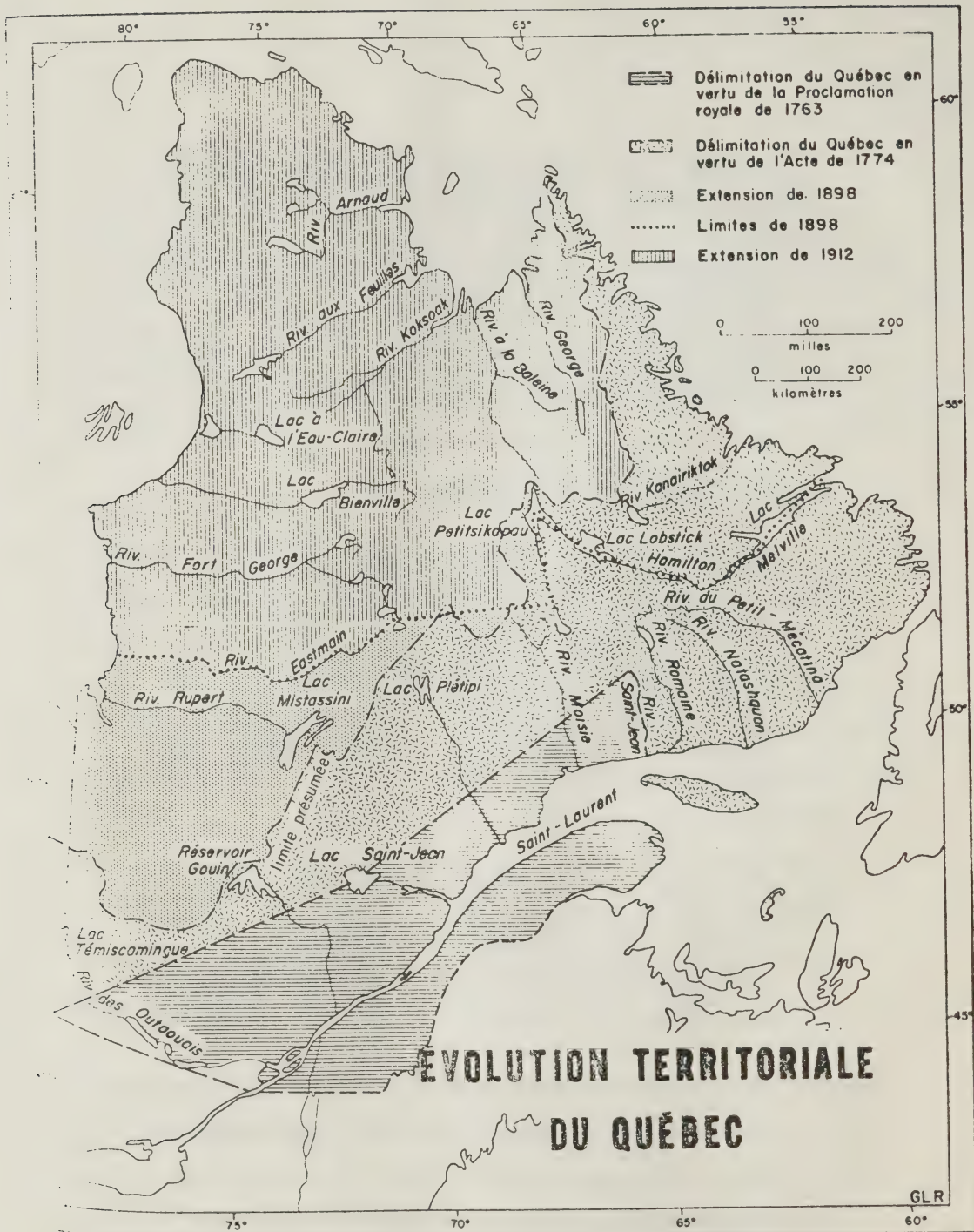
Sillery was one of several Indian settlements in New France, six of which later evolved into modern reserves.

1. Lorette. In July 1650 a group of about 300 Huron seeking refuge from their Iroquois



enemies were led to Quebec by Jesuit missionaries and the next year established on Ile d'Orleans. Subsequently the Huron were moved several times before finally settling in 1697 on the St. Charles River just outside Quebec. The community around the reserve is Jeune-Lorette, or Loretteville, but the Indian settlement is now officially called Village-des-Hurons.

2. Caughnawaga. A small settlement of Iroquois converts settled at La Prairie on the south shore of the St. Lawrence opposite Montreal in 1667. After several relocations the village settled to the west of the Lachine Rapids about 1720.
3. St. Regis. In the middle of the 18th century a group of Indians from Caughnawaga for various reasons established a separate settlement at the head of Lake St. Francis, 95 km west of Montreal.
4. Oka. Sulpician missionaries founded a mission at the foot of Mount Royal in 1676. Apparently to avoid the liquor traffic, the settlement moved from Montreal, eventually establishing itself in 1721 on Lake of Two Mountains where the Sulpicians



The territorial evolution of Quebec, 1763-1912.

Source: Commission d'étude sur l'intégrité du territoire du Québec (Dorion Report).

collected Indians from all their missions in the vicinity.

5. Odanak. The village of Odanak, or St. Francis, was first settled about 1670 by Sokokis Indians, refugees from warfare in New England. In 1700 a Jesuit mission was located there which subsequently attracted Indians from all over northern New England. The area has been known as Pierre-ville but the name officially became Odanak in 1962.
6. Bécancour. In 1708 the seigneurie of Bécancour on the south shore of the St. Lawrence opposite Trois Rivières was granted to the Abenaki Indians.

During the French regime these were the principal Indian settlements and relations between the government and the Native people usually were mediated through the missionaries resident there.

Reserves did not produce the docile, sedentary population of Christian Indians that the French expected. Hunting and trapping continued to attract inhabitants away from agricultural pursuits and instead of aping the best features of

French culture the Indians proved susceptible to exploitation by Eurocanadian trespassers, squatters and liquor dealers. In terms of its own objectives, therefore, reserve policy in the French period was a failure.

## II. BRITISH INDIAN POLICY

British Indian policy differed markedly from the French in a crucial respect; the British recognized Indian title to traditional hunting territories and agreed that Indian lands would have to be purchased, not simply conquered. British Indian policy took shape in the context of an unsettled, wartorn frontier. Officials hoped to pacify the Indians and win them to the British side in future conflicts by recognizing and protecting their ownership of the land. The document which embodied this policy was the Proclamation of 1763 which established a vast inland reserve area where land could not be purchased or settled without permission of the Crown. It forbade the sale of land within the colonies which was already reserved for the Indians and if Native people wished to sell the only legal buyer was the Crown's representative at a public meeting held for the purpose (see Appendix A). The motives behind this policy were entirely self-interested and were intended to remove any Indian



military threat to the colonies.

British Indian policy was administered by an Indian Department consisting of a superintendent, local agents and interpreters. Policy remained basically unchanged until the 1820s when the frontier of settlement began to intrude on Indian territories with disastrous results. Land was occupied by trespassers and animal resources were destroyed at an alarming rate. At the same time officials in Great Britain wanted the Indian Department to reduce its expenditures as part of a general economy drive in the colonies. These two factors, combined with the influence of international humanitarian movements, led to a rethinking of Indian policy. It was no longer adequate to treat the Indians simply as military allies. The Indian Department decided to take a more interventionist approach to Native welfare by settling them in agricultural villages supplied with building materials and farm supplies. The objective of the new policy was to transform Indians from nomadic hunters to self-sufficient agriculturalists, and in the process, do away with any need for an Indian Department. Native people resisted the new policy, preferring to have their traditional way of life protected, not destroyed. However, assimilation through agricultural settlement remained the cornerstone of government policy.

Meanwhile the question of Indian lands became annually more pressing as loggers, trappers and settlers continued to despoil resources without compensation. All over the province Indians petitioned the government to protect their land or give them new territories to replace the ones ruined by intruders. In 1850 the provincial legislature responded by creating a Commissioner of Indian Lands to administer native land issues and by levying fines against certain types of trespassers. Then, in 1851 the government set aside 93 150 hectares of land for the creation of eleven reserves for the exclusive use of Indian people. These reserves were not part of a land settlement by which Indians gave up their aboriginal title; instead they were a recognition by the government that native people deserved compensation for land which had been guaranteed them yet had been either lost or spoiled by the activities of Eurocanadians. The creation of reserves was in keeping with the British policy of assimilation; the reserve would be the context in which the Indian learned a new, sedentary, agricultural way of life.<sup>2</sup>

### III. DEVELOPMENT OF INDIAN RESERVES IN QUEBEC

According to the 1850 legislation (13-14 Vic., Cap. 42) the Commissioner of Indian Lands for Lower Canada held in

trust for the Indians "all lands or property in Lower Canada which are or shall be set apart or appropriated to or for the use of any Tribe or Body of Indians". This official was authorized "to receive and recover the rents, issues and profits of such lands and property" and to "concede or lease or charge any such land or property", subject always to instructions from the Governor to whom he was accountable for all monies received. The 1851 law (14-15 Vic., Cap. 106) which actually created the reserves confirmed the authority of the Commissioner.

At Confederation there were at least twenty Indian reserves in Quebec, the majority established under government authority but some established by grants from private persons or religious orders. The Acts of the Dominion (1868) replaced the Commissioner of Indian Lands with a federal Secretary of State who assumed the powers and duties of the Commissioner, including management of Indian lands. It was assumed that title to reserve lands also passed to the federal Crown but in 1920 the Privy Council held in the Star Chrome Case that title to the reserves in question remained in the Provincial Crown. According to the decision, the Commissioner was only given such an interest therein as would ensure him to exercise the powers of administration. By virtue of having the exclusive right to legislate in respect of Indians and lands

reserved for Indians, and having succeeded to the powers conferred on the Commissioner, Canada had authority to accept on behalf of the Crown, a surrender by the Indians of their reserves but it had no power or authority to take away from the province the interest in the lands given to it by Section 109 of the BNA Act, so that following a surrender the entire title in the surrendered lands was vested in the province, free from the trust existing in favour of the Indians. As a result of this decision the federal government in 1933 restored to the province the proceeds from the disposition of lands surrendered since Confederation, a sum totalling \$140,959.37. Except in one instance, no agreement has been negotiated between the federal government and Quebec to alter this situation and it is therefore not possible to take a surrender of reserves in the province without loss to the Indians.

Since Confederation the federal government has purchased and set apart a number of reserves in the province. As to these, the title of the Federal Crown is absolute and on a surrender of the Indian interest Canada may dispose of the land by sale or otherwise. Along with these reserves, the provincial government, under the Lands and Forests Act of 1922, has permitted the use of 133 650 hectares for the creation of reserves. The situation is further complicated

by reserves which have been created by one law, then enlarged by purchase or modified by another law. The result of all this litigation and legislation is that several categories of Indian reserves exist in Quebec.

The categories are listed here with the reserves included in each:

1. Reserves created under the terms of the 1851 legislation. Initially there were eleven reserves created but after land transfers and sales nine remain. The province retains reversionary title to these reserves.

Betsiamites (Bersimis)	Ouiatchouan (Pointe-Bleue)
Coucouchache	Restigouche
Doncaster	Sept-Iles
Maniwaki	Weymontachingue
Manouane	

2. The province waived reversionary title to one reserve created under the 1851 legislation.

Timiskaming



3. Reserves in existence prior to 1851. Usually these were lands originally granted to a religious order on behalf of the Indians.

Kahnawaké (Caughnawaga)	Odanak
Lorette	St. Regis
Maria	Wolinak (Bécancour)

4. Reserves created under the terms of the Quebec Lands and Forests Act (1922). In the event of surrender, land reverts to the province.

Eastmain	Obedjiwan
Lac Rapide	Schefferville
Lac Simon	Sept-Iles
Mingan	Waswanipi
Mistassini	

5. Reserves created by the federal government on land transferred to it by the province. In the case of a land surrender the federal government retains title.

Natashquan	Whitworth
Romaine	

6. Reserves created by federal Orders in Council on land purchased privately by the federal government, which retains reversionary title.

Cacouna	Maria
Les Escoumins	Oka
Lorette	Pikogan
Malioténam	

As well as these categories of reserves, there are twelve settlements which are occupied by Indians but do not enjoy reserve status. The lands remain the property of the provincial government.

Chisasibi (Fort George)	Neoskweskau
Grand Lac Victoria	Nitchequon
Hunters Point	Poste-de-la-Baleine
Kipawa	Rupert House
Lac Doré	Saint Augustin
Nemaska (Nemiscau)	Wemindji (Nouveau-Comptoir)

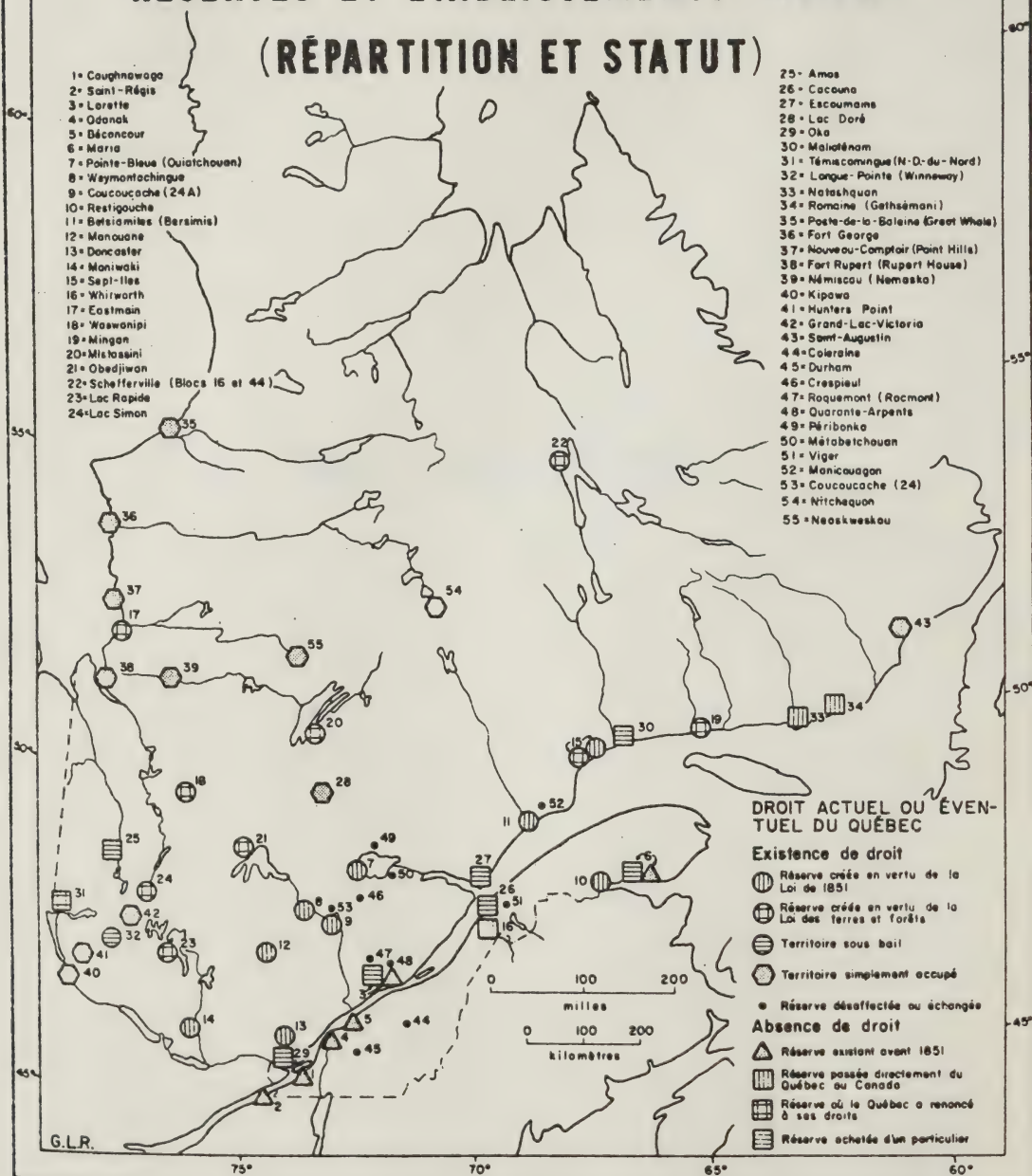
Another settlement which does not enjoy reserve status is located on land leased to the Oblate Brothers for the use of the Indians.

Winneway (Longue Pointe)



C. LIST OF RESERVES IN QUEBEC<sup>3</sup>

# RÉSERVES ET ÉTABLISSEMENTS INDIENS (RÉPARTITION ET STATUT)



2 Location of Indian reserves and settlements in Quebec. Source: Commission d'étude sur l'intégrité du territoire du Québec (Dorion Report).



Amos

See entry for Pikogan.

Bécancour

See entry for Wolinak.

Bersimis

See entry for Betsiamites.

Betsiamites

In 1851 the Montagnais of the King's Posts region of Quebec were granted a large reserve at Manicouagan. During the next few years Betsiamites on the north shore of the St. Lawrence River became an important trading and missionary centre for the Montagnais and in 1861 they traded the Manicouagan reserve for a 25 500-hectare tract near the mouth of the Bersimis River. Since that time none of the reserve has been surrendered, though a number of permits have been given for road and power line rights-of-way and for persons to occupy areas on the reserve. In 1918 the band surrendered timber rights to the reserve. In the event of surrender or abandonment, the land would revert to the provincial government. In 1981 the name of the reserve changed from Bersimis to Betsiamites.

### Cacouna

The Cacouna "reserve" was purchased by the federal government in 1891 from a private party. It comprises approximately 0.18 hectares of land not far from Rivière du Loup occupied by the Viger Band of Malécite Indians. The province of Quebec does not have any right to this land since it was obtained by the federal government through a private purchase. Cacouna has never been officially set apart as a reserve within the meaning of the Indian Act.

### Caughnawaga

See Special Cases section of this report.

### Coleraine

Under the terms of the 1851 Act a reserve was established for the Abenaki Indians at Coleraine. In 1882 the 810-hectare reserve was surrendered and in 1901 it was sold. The monies received for the land were to be used for the benefit of the Indians. The surrender and sale gave rise to a court action which was finally resolved by the Judicial Committee of the Privy Council in a judgement delivered November 23, 1920. This case is referred to as the Star Chrome Case.

### Coucouchache

In 1851 the Tête de Boule Indians received two tracts of

land on the St. Maurice River in the vicinity of La Tuque. One was a 157-hectare reserve called Coucoucache. After this reserve was flooded by a dam in 1932 the federal and provincial governments exchanged land and a new reserve by this name was transferred to the Federal Crown. It is only 4.8 hectares and has not been regularly inhabited.

#### Crespieul

The Crespieul reserve was created under authority of the 1851 Act. In 1853 a total of 3 392 hectares was distributed to the Indians at Crespieul. The land was surrendered for sale December 21, 1910 and sold by the Department of Indian Affairs for \$15,100.

#### Doncaster

Under the terms of the 1851 Act, 7 492.5 hectares of land were granted for the benefit of the Caughnawaga and Oka Bands at Doncaster. One-third of the reserve belongs to the Oka Indians while the remaining two-thirds belong to Caughnawaga. At the present time the reserve is used mainly as a timber lot. Located 16 kilometres northeast of Sainte-Agathe, the reserve is encumbered by a right of return to the province.

### Eastmain

The Eastmain Reserve was created in 1962 after the province transferred 11.2 hectares of land to the federal government under the terms of the Lands and Forests Act (1922). The land on the reserve reverts to Quebec if the Indians decide to abandon it.

### Escoumins

See entry for Les Escoumins.

### Kahnawaké

In 1980 the name of the Caughnawaga Reserve changed to Kahnawaké. See Special Cases section of this report.

### Lac Simon

In 1961 the establishment of a reserve at Lac Simon was requested by the local Algonquin band council. The reserve was created in 1962 under the authority of the Lands and Forests Act of Quebec (1922). It was allotted a total of 272 hectares, including 18.6 hectares in the form of a lease held by the Crown. Reserve land would revert to the province if abandoned by the Indians.

### Les Escoumins

In 1892 the federal government purchased 39.3 hectares of land from a private party for the use and benefit of the Montagnais of Escoumins on the north shore of the St. Lawrence River. In case of abandonment by the Indians, title to the land would revert to the federal government. In 1982 the name of the reserve changed from Escoumins to Les Escoumins.

### Lorette

The initial reserve at Lorette was created in 1794 when the Jesuits received a seigneurial grant and deeded 10.8 hectares of land to the Huron Indians. In 1870 a proclamation issued by the federal government confirmed the title to the land. In 1953 and 1968 additional areas were purchased for the Indians by the federal government.

### Malioténam

In 1947 the Malioténam Band council passed a resolution requesting that a new reserve be purchased. The next year the federal government purchased a total of 511 hectares from a private party and the Seven Islands Reserve was created 16 kilometres east of Sept-Iles on the north shore of the St. Lawrence River. Since this was a purchase by the Crown in right of the Government of Canada, this land would be considered federal land and not liable to return to the province. In 1979 the name of the reserve changed to Malioténam.



### Manicouagan

The Manicouagan Reserve was established under the Act of 1851. In 1853 the Montagnais Indians received 28 350 hectares of land on the west side of the Outardes River. This reserve was exchanged in 1861 for the Bersimis Reserve on the north shore of the St. Lawrence River.

### Maniwaki

The Maniwaki Reserve was established in 1853 under the provisions of the Act of 1851. Initially 18 530 hectares of land were granted for the Tête de Boule, Algonquin and Nipissing Indians at Maniwaki but between 1873 and 1917 the band surrendered many parcels of land for sale and lease. Then, in 1947, the federal government began to return portions of the surrendered land to the Indians. This reserve is encumbered by a right of return to the province determined by the Privy Council.

### Manouane

The Manouane Reserve was created in 1906 on 772 hectares of land transferred to the federal government by the province under authority of the 1851 Act. The province retains reversionary title.

### Maria

Located at the mouth of the Cascapedia River on the north shore of Chaleur Bay, the reserve has long been inhabited by Micmac Indians. Part of the reserve consists of land purchased by the federal government and part of land with questionable legal title.

### Metabetchouan

Under the authority of the 1851 Act, lands totalling 1 620 hectares were set aside in 1853 for the Montagnais Indians around Lake St. John. In 1856 the Metabetchouan Reserve was exchanged for the Ouiatchouan Reserve at Pointe-Bleue.

### Mingan

The Mingan Reserve was created in 1963 under authority of the provincial Lands and Forests Act (1922) on land transferred by the province to the federal government. A total of 1 758 hectares was distributed to the Montagnais Indians at Mingan. In case of abandonment, title to the land reverts to the provincial government.

### Mistassini

The Mistassini Reserve was established in 1962 by the transfer of 2 357.5 hectares of land to the federal government from the

province by authority of the Lands and Forests Act (1922). Should the Indians abandon the land, the provincial government assumes title.

#### Natashquan

Natashquan Reserve is located on the north shore of the St. Lawrence River opposite the east end of Anticosti Island where a group of Montagnais Indians was accustomed to passing the summer. In 1952 the federal government purchased from the provincial government a tract of 8.3 hectares where the following year the reserve was established. In 1954 a further 6.2 hectares were purchased and in 1970 another 6.5 hectares. Title to this reserve is not liable to return to the province since the land was sold outright to the federal government by Letters Patent.

#### Obedjiwan

The Obedjiwan Indians formerly lived as an unorganized band at Kickendatch. In 1912 the Hudson's Bay Company moved its trading post to Obedjiway where about forty Indian families settled. In 1944 the Quebec government, under authority of the Lands and Forests Act (1922), transferred 927.5 hectares of land to the federal government for the creation of the reserve. On March 21, 1950, this territory was made a reserve by a decision of the Privy Council (No. 1458). Origin-

ally called Obiduan, the name changed to Obedjiwan in 1964. If this reserve should be abandoned or no longer used, title to the land would revert to the province.

#### Odanak

In 1700 and 1701 the Abenaki Indians of St. François-du-Lac were granted two parcels of land, totalling 623 hectares, from the territory of the old seigneuries of Pierreville and St. François-du-Lac. This area of land was named the Pierreville Reserve by the Indians. Most of it has been surrendered to different individuals and companies. In 1962 an official change of name from Pierreville to Odanak took place. The federal government retains title in case of abandonment by its occupants.

#### Ouiatchouan

Following the 1851 Act the Montagnais of the Lake St. John region received two tracts of land. One 6 480-hectare tract was situated on the Peribonka River north of the lake, while the other, consisting of 1 620 hectares, was at Metabetchouan. In 1856 the territory was exchanged by the Indians for another parcel of land situated at Pointe-Bleue on Lake St. John, totalling 9 315 hectares. This was the Ouiatchouan Reserve. Subsequently large parts of it were surrendered in 1869 and 1895. The reserve is encumbered by a right of return to the province.

### Peribonka

The Peribonka Reserve was a 6 480-hectare tract of land distributed to the Montagnais of the Lake St. John area under authority of the 1851 Act. In 1856 the Indians exchanged it for a more suitable tract at Pointe-Bleue.

### Pikogan

Beginning in 1945 the federal government purchased a number of privately-owned lots on behalf of the Abitibi Dominion Band of Indians. These lots, totalling 52.75 hectares, were established as a reserve by Order in Council P.C. 1958-1387 on October 10, 1958. In case of abandonment by the Indian occupants, title to the land reverts to the federal government. In 1980 the Abitibi Band changed its name to the Abitibiwinni Band and the name of the reserve changed to Village Pikogan Reserve from Amos. Then, in 1983, the reserve became simply Pikogan.

### Quarante-Arpents

This reserve was given to the Huron of Lorette by the Jesuits in 1742. It was used basically as a hunting territory and in 1904 was sold.



### Rapid Lake

The Rapid Lake Reserve was created in 1961 by authority of the Lands and Forests Act of Quebec (1922) when 28.3 hectares of land were transferred by the province to the federal government. The land comprising the reserve would return to the provincial government if abandoned by its Indian occupants.

### Restigouche

The Restigouche Reserve was established under authority of the 1851 Act. It was created in 1853 when 3 888 hectares of land were distributed to the Micmac Indians. The province retains reversionary title.

### Romaine

Similar to the acquisition of Natashquan, the Romaine Reserve was acquired by the federal government according to a special procedure made necessary by the fact that the territory being transferred was provincial Crown land. In March 1955 Letters Patent were issued by authority of a 1949 Order in Council by which the provincial government transferred this parcel of land to the federal government for the formation of a reserve. In 1956 the land was set aside under authority of the Indian Act. Title would revert to the Federal Crown if the Indians decided to abandon the reserve. In 1972 the Romaine Band

divided into two bands, Romaine and St. Augustin, and the Romaine Band retained the established reserve.

#### Roquemont

The land at Roquemont Reserve was set aside for the Huron Indians as a hunting territory under authority of the Act of 1851. The reserve, which amounted to 3 888 hectares, was abandoned and in 1904 sold.

#### Schefferville

Between 1950 and 1954 the Iron Ore Company of Canada built the mining town of Schefferville on Knob Lake and connected it by rail to harbour facilities at Sept-Iles. In 1956 Naskapi Indians who previously had congregated at Fort Chimo and Fort Mackenzie moved to Schefferville and in 1960 the Schefferville Reserve was established by authority of the Lands and Forests Act of Quebec (1922). The reserve was created by a transfer of land from the provincial government to the federal government by Order in Council, with the right of return to the province. Originally the Indians were granted 23.5 hectares of land and in 1968 an additional 15 hectares were added. In 1980 the reserve divided into two reserves, Lac John and Matimékosh.

### Sept-Iles

In 1906 the provincial government transferred 37 hectares of land to the federal government for the establishment of the Sept-Iles Reserve. On July 5, 1925 the Indians surrendered the reserve, except for one small portion, in exchange for other land. A few months later there was an exchange of lots at Sept-Iles between Ottawa and the province whereby the federal government transferred to Quebec all the reserve lands that the Indians had surrendered a few months earlier and in return the province passed a ministerial order constituting as a reserve tracts of land in Letellier Township totalling 103.4 hectares. The reserve is encumbered by a right of return to the province. This right of return is based on the fact that the land was either obtained by Ottawa under the 1851 Act or later transferred by the province to the federal government.

### Timiskaming

The Timiskaming Reserve was established under the provisions of the 1851 Act. In 1853 Algonquin Indians received 15 552 hectares of land near Lake Timiskaming. Subsequently a total of forty surrenders were made to various individuals and companies reducing the total size to about 2 444 hectares. In the case of the Timiskaming Reserve the right of return to the province was declared void due to an agreement by

which Quebec transferred the reserve to the federal government in 1940 with a special clause renouncing any right of recovery.

### Viger

The Viger Reserve was established by authority of the 1851 Act. However, the Malécite Indians abandoned the land in 1869 and it was sold by the federal government.

### Waswanipi

By authority of the Lands and Forests Act of Quebec (1922) the provincial government transferred 251 hectares of land to the federal government in 1962 and the Waswanipi Reserve was established. Most of the Indians, however, are now living off the reserve although a few continue to hunt and fish there. If the reserve was totally abandoned by the Indian occupants, title would revert to the province.

### Weymontachingue

The Weymontachingue Reserve, totalling 3 000 hectares, was created under authority of the 1851 Act. A few years later, the Indians decided to abandon the reserve, though the land has not been surrendered and is again populated.

### Whitworth

In 1876 the federal government was authorized by Order in Council to purchase land from the government of Quebec for the establishment of a reserve at Whitworth. The land reserved for a band of Malécite Indians totalled 161.6 hectares. At present the reserve is largely unoccupied and is used as a timber lot worked by the federal government for the Indians. Crown Canada has the right of title to the reserve lands.

### Wolinak

In 1708 the seigneur of Port Neuf, Pierre de Rolirceau, granted the seigneurie of Bécancour, totalling 810 hectares, to a group of Abenaki Indians. In 1760 the band sold most of the land, retaining 60 hectares which were created as a reserve under the 1851 Act. Title to the land in case of surrender or abandonment by the Abenaki is held by the federal government. In 1983 the name of the reserve changed to Wolinak.





#### D. SPECIAL CASES



## I. The Oka Indians

The people known as the Oka Indians derived from three groups which inhabited the Ottawa and upper St. Lawrence Valleys -- the Nipissing, the Algonquin and the Iroquois. The Oka Iroquois initially congregated at a Sulpician mission at Montreal during the French regime. Because of the ease with which the Indians were acquiring alcohol, the Sulpicians decided to move their mission to Sault-au-Recollect. However, this did not solve the problem since intoxicants were also freely available there and in 1721 the priests moved again, this time to lands at Lake of Two Mountains. For this purpose they asked and obtained from the Governor and the Intendant of the colony the concession of the seigneurie of The Lake of Two Mountains, a concession which was affirmed by the King of France who granted the land to the Seminary for its eternal use on condition that it bear the expense of relocation and assume the necessary costs for the building of the church at the fort. The concession and ratification were registered in 1719 with the Superior Council of Quebec, again with the office of the Registrar at Quebec in June 1765, and in the registry of "Foi et Hommage". Shortly after the village was established, the Iroquois were joined by Nipissing and Algonquin people from other parts of the colony.

On September 26, 1733, a further concession was granted to the Seminary enlarging the original grant at Oka. In 1735 this new concession was ratified by the King, and the concession and ratification were registered with the Superior Council of New France in 1745, and later registered in the office of the registrar of Quebec in 1765 and also the registry of "Foi et Hommage". These tracts of land were granted to the Sulpicians for the purpose of protecting and instructing the Indian and French inhabitants and were not considered a reserve.

In 1822 the Algonquin and Nipissing Indians residing at Lake of Two Mountains laid claim to lands on both sides of the Ottawa River as far as Lake Nipissing, citing the Proclamation of 1763. They also complained that their lands were being occupied by settlers and denuded of game by trappers and hunters and requested that the Indian Department intervene on their behalf.<sup>4</sup> The Indians' petition received a sympathetic hearing from Superintendent Sir John Johnson. "Extensive Grants have been made of the Territory claimed by the Algonquin, and Nepissingue, Indians, without any Compensation whatever being made to Them," admitted Sir John. He pointed out that the Indians had not complained previously about intruders but now found "that the Settlement of the Country, and the indiscriminate and injudicious destruction, by the



Settlers, of the Beaver, and other Animals, from which the most valuable Furs are obtained, is likely soon to deprive Them of the means by which They have hitherto Supported Their Families ..."<sup>5</sup> Nevertheless, when Johnson's subordinate, Major General Darling, attended a council meeting at Caughnawaga in 1827 he informed the Oka residents that their claim could not be recognized. Refusing to interfere to prevent the settlement of the lands in question, he declared that these lands were not the exclusive property of the Lake of Two Mountains Indians, but that other tribes had an equal right to hunt upon them. He informed them, however, that "a small portion of land will be granted to each family, for the purpose of Agriculture, but he cannot grant any tract of land to be kept in a wild state as Hunting grounds".<sup>6</sup>

A committee of the Executive Council reported in 1836 that:

The Claim of these Indians comprises a tract of country on each side of the Ottawa River, ... There appears no reason to doubt that under the French Government the hunting grounds ... may have covered the whole extent which they now describe, and that their right so to use it was as little disputed and as well defined as any of the Territorial Rights of the

other Indian Tribes ... Viewing in this manner the claim now made by the tribe in question - The Committee recommended that a sufficient tract of land should be set apart in the rear of the present range of Townships on the Ottawa River, and that such of them as may from time to time desire to settle on land should be located there. 7

However, this suggestion failed to settle the situation.

As well as being concerned about the future of their hunting territories, the Indians were in doubt about their right to lands at Oka. On June 11, 1839, the Superior of the Seminary of Montreal offered certain propositions to the Indians which were accepted by them. The propositions were:

1. The Indian can still maintain his cultivated fields, lots, houses and dependencies. They also have the rights to transmit or leave these to their families or even to sell them to another Indian at the Mission without the payment of any seigniorial duties or fees.
2. They are allowed to add to their fields or obtain more land if they wish to cultivate it

themselves; however it will be at the option of the missionaries alone to choose the additional lands in order to prevent disputes.

3. No white person will be allowed to live with the Indians or be employed to cultivate the fields without the permission of the missionary.
4. The Indians have the right to build on their cultivated land.
5. The Seminary will continue to provide the Indians with fire wood they may consume, wood for building and repairing their houses and fences. This wood may be cut only where the missionaries may point out.

In order to settle the question of ownership of the land at Lake of Two Mountains, an Act was passed by the government in 1840 and confirmed by Her Majesty in 1841. It stated that the ecclesiastics of the Seminary of St. Sulpice were confirmed in their title to the fiefs and seigneurie of the Island of Montreal, Lake of Two Mountains and St. Sulpice. It also provided for the gradual removal of seigneurial

rights and dues within the limits of the fiefs and seigneuries. Apparently the right of the Indians to inhabit the land was unchallenged.

By Confederation disputes between the Indians and the Sulpicians at Oka were growing intense. The Iroquois complained that the priests treated them "with contempt and harshness" and denied them access to agricultural land and timber resources. H.L. Langevin, Secretary of State and Superintendent General of Indian Affairs, was not sympathetic to the Iroquois complaints. In his opinion, stated in 1868, the seigneury of Lake of Two Mountains was the absolute property of the Seminary of St. Sulpice of Montreal and for this reason the Iroquois did not have any right to the property. In answer to their other complaints Langevin informed the Chiefs that:

the people at the Seminary have always been kind to the Iroquois by providing for their spiritual and temporal wants in the most ample and liberal manner, giving them a good education, teaching them the French language ... and expending every year for their spiritual wants a much larger sum than that derived from the Indians and French Canadians put together.

That the Indians contribute a small sum annually, for the expense of the church, is not denied by the gentlemen of the seminary, but it is considered by the return of the revenue and expenditure, that the Indians receive a much larger sum than they pay.<sup>8</sup>

Langevin stated that since the religious people at the Seminary were the proprietors they had the right to set conditions as regards the cutting of wood. In addition, the experience of a century and a half showed that the Indians had always been treated with paternal care by the Sulpicians. As a result they had increased in number while at the same time becoming good and religious people.

In conclusion Langevin told the Indians "that by an Order-in-Council of the 9th August, 1853, 16 000 acres of land in Duncaster, North River, in rear of the Township of Wexford, were set apart for the Iroquois of Caughnawaga and Two Mountains and that therefore they might settle there if they wished. The Government in that case would see that aid could be given them, should those lands be too small in extent, some other locality would be found where they might settle if they wished."<sup>9</sup>



On July 31, 1868, the Algonquins of Lake of Two Mountains presented their own petition which claimed:

1. That the Seminary of St. Sulpice had no rights to the land or wood which belonged to the Indians.
2. That the Seminary refused to give the Indians wood in order that they could construct their houses.
3. Certain islands in the Ottawa River were taken by the Government for public work purposes 36 years ago and which no compensation was paid for their islands.
4. That certain equipments which were paid to the Indians have now stopped.
5. The Indians should enjoy the same privileges as the white person.

To the Algonquin Langevin stated that he had:

no doubt that the Algonquin Indians were altogether in error and that the comparison established ... between the land at Sault St. Louis is quite

wrong in every way, the tenure of both being quite different because the land at Caughnawaga had reverted back to the Crown while the land at the Lake of Two Mountains was the absolute property of the Seminary of St. Sulpice of Montreal as was shown by the title or grant of the 27th April, 1718; by that of the 1st March 1735; by the permission granted to the Seminary by the Treaty of Paris to sell these Seigniories and bring the proceeds back to France if they had wished to; by the 3rd and 4th Vict., Chap. 30 (now Chap. 42 of the consolidated Statutes of Lower Canada), and by the Seignorial Act of 1859.<sup>10</sup>

Therefore, Langevin concluded, the Indians had no right of property to the seigneurie of Two Mountains, but had a right to remain at the mission as long as they wished. They would, however, have to behave in a peaceful manner and respect the rights of the Seminary at St. Sulpice.

As for the petition's second point, Langevin was positive that the Seminary did not allow the Indians to cut wood for sale but that it allowed them timber to build with and cord wood for their own use. On the third point he observed that:

By the Act, 14 and 15 Vict., Chap. 106 a large tract was set apart for the use of certain Indian tribes in Lower Canada and that, by an Order-in-Council of the late Province of Canada, dated 9th August 1853, and passed in accordance with, and under this last mentioned Statute, 45,750 acres of land in the Township of Maniwaki (River Désert) were set apart especially for the Têtes de Boule, Algonquins, and Nipissingue Indians, being the tribes hunting on the territory between St. Maurice and Gatineau, principally residing at the mission of Lake of Two Mountains. Compensation has, therefore been given to the Algonquin Indians that may have been appropriated by the Government on the Ottawa River.<sup>11</sup>

With respect to the fourth point, Langevin stated that the government for a long time had provided certain equipment, however it had stopped doing this and was now dispensing blankets, seed, grain and other necessities for old and infirm Indians. Finally, on the last point Langevin declared that the Indians could not have the same privileges as a white person so long as the law remained as it was. Consequently the department planned to submit a scheme by

which Indians under certain conditions could be enfranchised and become citizens like the white man. However, before this could be approved the Indians must not break the law or impede it in any way. Meanwhile, in 1869 an Order in Council confirmed the government's support for the Sulpicians.

The dispute at Oka was complicated in 1868 by the arrival of the Methodist Missionary Society which established a mission and supported the Indians in their fight with the Catholic mission. As the "Oka question" became a public cause célèbre, the federal Minister of Justice reviewed the case in 1878. He ruled in favour of the Seminary, as did Judge Badgley of the Counsel of the Quebec Bar, who concluded:

That the title of the Corporation of the Seminary of Montreal had conferred upon the Body the sole absolute owners of the property known as the Seignior of the Lake of Two Mountains. Consequently the Oka Indians have not and never had any lawful proprietary claim in the property of the said Seignior. It can therefore be seen from the above decisions as well as from the opinions expressed by the highest authorities in the land that the Seminary of St. Sulpice have

the absolute right to the property in the Seigniority of the Lake of Two Mountains, and that the Indians have no proprietary rights in this land.<sup>12</sup>

In 1881, to avoid litigation and legal costs, the St. Sulpice Seminary and the Indians, with the encouragement of the government, agreed to settle their dispute by finding a new location for the Oka people. An Order in Council was signed for the removal of Indians who desired to leave Oka for a tract of 10 240 hectares of land in the township of Gibson in Ontario. The conditions of the agreement with the Seminary were that:

1. The Seminary pay the purchase price of the land.
2. The Indians should be granted 40.5 hectares per family on the Gibson land.
3. The Seminary pay for the value of immovable assets at Oka.
4. The Seminary pay for the transportation of the Indians from Oka to Gibson.
5. The Seminary erect substantial log houses on each family lot.



However, only about one-third of the population moved to Gibson, several of whom later returned to Oka.

In 1908 three Oka chiefs instituted proceedings against the Sulpicians with respect to the title of the Seminary at Oka. The Superior Court (Q.R. 38 S.C. 268 Hutchinson J.) on March 17, 1910 dismissed the action on the grounds that "the evidence addressed by the plaintiffs does not show that they Occupied any lands of the said seignory as proprietors. The evidence of the defendant establishes the contrary." The Oka Indians appealed and eventually the case was taken to the Privy Council where the title of the Seminary was upheld and the appeal dismissed. The Privy Council held that the land belonged to the Seminary and not to the Indians, however it suggested that there might be a trust relationship which it was not able to examine in the case as presented. A second action was never initiated by the Oka Indians.

In 1945 the federal government, concerned that the Seminary was selling their lands at Oka, bought what was left to protect the Indians. As well, the government purchased a 200-hectare woodlot for Indian use and agreed to take over the Seminary's obligations to the Native people. The government hoped that this was a final settlement of the matter

but the Indians, who were not consulted about the agreement, continued to feel that their grievances were unresolved.<sup>13</sup>

## II. St. Regis

The St. Regis Indians migrated to their present village from Caughnawaga around the year 1755. There have been various explanations given for the move, including land exhaustion at Caughnawaga, disorder associated with the liquor traffic, a factional dispute and the French desire to have a settlement established on the Upper St. Lawrence. For whatever reason, the Jesuit Father Gordon felt that it would be in the best interest of some of the Indians if they and their families removed themselves from Caughnawaga. He obtained the consent of Governor Vaudreuil to leave and a promise of a land grant of any tract of unceded lands on the river above Sault St. Louis.

Father Gordon, because of the problems that arose with the Seven Years War, was unable to obtain at that time a deed for the land at St. Regis. When the French Regime came to an end in 1760 the Indians found themselves with nothing but squatters' title, a title which was, however, confirmed by Article 40 of the Capitulation (1760) and the Proclamation of 1763. Father Gordon wanted to ensure that the

Indians obtained a clearly defined title to a specific reservation. He applied to the British authorities for a parcel of land extending from the Raisin River to the foot of the Long Sault, six leagues deep on each side of the river.<sup>14</sup> This application was not approved, however. Governor Frederick Haldimand directed that the Indians be allowed to remain on the land on the understanding that this permission must not be

regarded in any other light than as a matter of indulgence pending the signification of the King's pleasure, no part of it having been granted to them as property.<sup>15</sup>

The Indians in time did come to be recognized as the owners of their lands for according to a report written by D.C. Napier, Superintendent of Indian Affairs, in 1829:

The Iroquois of St. Regis possess the under-mentioned lands and islands in Upper and Lower Canada which were allotted for their use and benefit by the late Sir Frederick Haldimand and, soon after the Peace of 1783, in lieu of the lands previously occupied by them. Twenty-one Concessions of land situated in Eastern

District of Upper Canada and lying between the counties of Stormont and Glengarry. Nine Islands in the River St. Lawrence in front of the Townships of Charlottenburgh, Cornwall, Osnaburgh, and Edwardsburg, in Upper Canada: Eight concessions in the Reservation called Dundee, L.C., and between the Salmon River and the Township of Godmanchester: also the Reservation commonly denominated the Parish of St. Regis, forming the tract of land between Salmon River and the Village of St. Regis.<sup>16</sup>

In addition, an Executive Council report in 1836 stated:

The Indians of St. Regis belonging to the same Iroquois Tribe but numbering only 381 souls, occupy a tract in that vicinity of about 21,000 acres of excellent soil, and also possess a large reservation on the opposite shore of the St. Lawrence in Upper Canada, and several islands in the river, the whole amounting to about 50,000 acres.

To these tracts they have no other title than their ancient occupancy of them as a part of their former hunting grounds ..... The greater

part of the tract in this Province appears to have been leased by the Indians, with the sanction of the government for periods varying from thirty to 99 years and at low rents ....<sup>17</sup>

In an 1845 report of a three-man commission appointed by the legislative assembly to investigate Indian affairs in Canada, the territorial possessions of the St. Regis Indians were thus defined:

These Indians occupy a tract of land intersected by the boundary line of the Province, on the parallel of  $45^{\circ}$  N. latitude, so that the southern portion of the tract belongs to the State of New York, and the Indians occupying it are American subjects.

The portion of land occupied by the British Indians is of a triangular form, extending from the Peninsula of St. Regis, on which the village is situated, about twelve miles along the shore of the River St. Lawrence, and Lake St. Francis, by which it is bounded on the north; along the boundary line on the south, it extends nearly fourteen miles; on the east

it is bounded by the Township of Godmanchester.  
Its area is about 21,000 acres.

Besides the land at St. Regis, those Indians are also proprietors of the nine Islands in the River St. Lawrence, and of a reservation of land, called Natfield, in the Eastern District of the Upper Province, lying between the counties of Stormont and Glengarry, and containing 30,690 acres.

These lands form but a small portion of the hunting grounds of the once powerful Iroquois Nation, and are supposed to have been occupied by this tribe since the first settlement of Canada. Their title was originally a mere occupancy for the purpose of hunting; but it was recognized and acknowledged by the Government of France before the conquest, and was subsequently secured to them by that of England, in common with all similar titles existing at the time of the conquest.<sup>18</sup>

Eventually St. Regis was divided into two reserves lying across the interprovincial boundary between Ontario and Quebec. The Ontario reserve was known as Cornwall Island



Reserve while the Quebec reserve was St. Regis proper. The latter encompassed Dundee Township and islands in the St. Lawrence River between the provincial boundary on the west and a line drawn across the river from Lancaster to the eastern boundary of the township. In 1973, at the band's request, the two reserves became officially the St. Regis Akwesasne Indian Reserve.<sup>19</sup>

Two major land issues have disturbed the history of St. Regis, one involving islands in the St. Lawrence River and the other a section of Dundee Township.

The islands in the St. Lawrence between Valleyfield, Quebec, and Gananoque, Ontario, have not been surrendered by the Indians, with the exception of Stanley Island, ceded by the St. Regis people in 1888, and the Thousand Islands, ceded by the Mississauga of Alnwick in 1856. At the same time the islands have not been set aside as reserve land, though the Indians consider them such. During the nineteenth century the St. Regis people used the islands for farming, hunting and fishing and leased parts of them to mainland farmers for pasture. In 1850 they laid claim to the islands in a petition to Lord Elgin, stating that:

The St. Regis Indians have possessed and

exercised ownership over all the islands in the River St. Lawrence ... between Coteau du Lac and the head of Gallops Rapids (being about fifty in number) from the time of the first settlement made by white people on the adjacent mainland in Canada ... 20

However the claim was never recognized by the government and the matter remained unresolved, with Indians unwilling to surrender the land and tenants uncertain about the security of their leases. In 1927 the federal government passed the St. Regis Islands Act giving the Department of Indian Affairs authority to lease islands in the St. Lawrence, for the benefit of the St. Regis Band, without obtaining a formal surrender.<sup>21</sup>

Since the 1950s ownership of the weedbeds and marshlands in the river has been a contentious issue. Indians have taken steps to control access to these areas, claiming they belong to the reserve, but non-Indian hunters and fishermen have regularly trespassed. The federal government agreed that the Indians had every right to weedbeds next to reserve property but there has been controversy over what exactly constitutes that property and the government has not endorsed Indian attempts to control access to what it considers open water.<sup>22</sup>

Another issue involving land at St. Regis was the Dundee Lands dispute. In 1822 a survey was made of the boundary between Godmanchester and Dundee Townships and located the line five degrees farther west than the original survey. As a result, Dundee Township, part of the St. Regis Reserve, lost a strip of land along its eastern edge and the discrepancy in the surveys put the boundary in question. During subsequent decades the Indians leased lands in this area to non-Indian settlers. Some of the leases were irregular, others were forfeited, others expired and were not renewed and generally speaking the Dundee Lands situation became very confused. As well, the Indians were dissatisfied at poor rent collection and began to require more land for their own use.

In 1887 a commission headed by the Honourable Mr. Justice Burbidge was appointed to establish the ownership of the land and the validity of the leases. The enquiry ruled that the Indians should surrender the tract for \$50,000, of which \$20,000 would be used to buy back some of the land. The surrender took place in 1888.

### III. Caughnawaga

In 1647 the Jesuits of the St. François Xavier Mission received a tract of land at La Prairie de la Madelaine to establish a small mission as a resting point for their travelling missionaries. Twenty years later a missionary centre was founded at La Prairie to be used as a refuge for Iroquois converts. In 1669 the provision of intoxicants to Indians at the mission was forbidden, however it was never effectively controlled and continued to be a source of much trouble. By 1676 the mission at La Prairie was over-crowded with French settlers and the soil had proven ill-suited to growing Indian corn. To alleviate these problems, Louis XIV granted a tract of land to the west of La Prairie on the Sault St. Louis. A further grant of land was made on October 31, 1680 on the condition that the land would revert to the Crown if the Indians ever abandoned it. In 1696 soil exhaustion was again a problem and the village moved farther upriver opposite Devil's Island just above the rapids.

In the early 1700s New France was embroiled in a conflict with the British and French authorities, and it was decided that increased protection was necessary for the fledgling colony at Montreal. They requested that the mission

and Indian settlement be established at the lower end of Lac St. Louis along with a fort to defend against attack from the West. The Jesuits were opposed at first because they feared the influence of the garrison soldiers, however soil exhaustion was recurring at the old settlement and after pressure from the government the Jesuits finally agreed. In 1717 the fourth and final move to a point 4.8 kilometres west of La Susanne on the river front was made, where a missionary residence was built between 1717 and 1721 and a church in 1721. It was not until 1754 that the construction of the stone fort began along the river front. The new settlement was called Sault St. Louis by the French and Kanawaké by the Indians.<sup>23</sup>

The Jesuits at Caughnawaga considered themselves to be the owners of both La Prairie and Sault St. Louis seigneuries, however after the Conquest their title was challenged. While La Prairie was indisputably Jesuit land, the other had been granted conjointly to the missionaries and the Indians. The boundary between the two was ill-defined, leaving a strip of land about 15 hectares wide in contention. In 1762 the Jesuits leased part of this strip to a French farmer and the Indians challenged their right to do so, claiming the land belonged to the Sault St. Louis seigneurie. General Thomas Gage ruled that the disputed land should be attached to Sault St. Louis and further, that the Jesuits had no claim on the seigneurie



as a whole; it would henceforth be retained by the Crown for the use of the Indians. The community was now designated a band and called "the Iroquois of Caughnawaga". (The name of the reserve changed in 1980 to Kahnawaké.)

However, the Indians' victory over the Jesuits was short-lived. Later in 1762 General Gage re-examined his decision and returned the strip of land to the Jesuits, having discovered that it was given by the King to the missionaries for their own use.<sup>24</sup> Unwilling to accept the decision, the Caughnawaga Indians subsequently exhausted every legal avenue in attempts to have their claim to the land recognized.

In 1769 Sir Guy Carleton ordered the Deputy Surveyor General, John Collins, to fix the boundaries of La Prairie and Sault St. Louis seigneuries, a survey which reaffirmed the Jesuits' continued ownership of the property. On August 29, 1794, Governor Carleton ordered Sir John Johnson to initiate a new inquiry into the right of the Caughnawaga Indians to the land which they claimed. In 1798 the Crown, on behalf of the Indians, sued the Jesuits for the strip of land. The missionaries, represented by Father Casot, lost their case before the Court of the King's Bench that same year, however they appealed the decision in 1799 and were successful. With the death of Father Casot a few months later, the last survivor



of the Jesuit Order to supervise the missions in Lower Canada, the government inherited the estates of the Jesuits, along with all outstanding disputes.

In 1807 the Indians sent a delegation to England to discuss their claim with Lord Castlereagh, Secretary of the Colonies, who wrote:

The Iroquois must clearly understand that he (Sir James Craig) could not take upon himself to alter the boundaries of seigniories so long made and so formally established to the mutual satisfaction of all the parties who were concerned.<sup>25</sup>

Likewise in 1820 Governor Dalhousie ruled against their claim, declaring that the land in question had never belonged to the Indians, "having been held and enjoyed by the late Order of Jesuits as seigniors in possession."<sup>26</sup>

Despite these repudiations the Indians were still determined to continue their grievance. In 1828 another delegation of Indians insisted that when the Jesuits were planning to construct a grist mill on the disputed territory they had first secured the permission of the Indians, thus admitting that

it belonged to the Indians. However, Governor Sir James Kempt reminded the Indians that the accuracy of the boundary lines had been accepted by the King's attorney-general and the courts.

Undaunted, the Indians decided to meet with the King himself, however they were informed when they arrived in England that he was in the country and could not see them.<sup>27</sup> The delegation instead presented their case to the Colonial Secretary, Sir George Murray, who on January 15, 1830, gave them little hope of redress since legal decisions had so far been un-animously against them. Besides, it was a matter for the colonial administration to settle, not the home government. Although the delegation failed in their mission to restore the strip of land, they did receive a promise of a church bell and a sum of money to repair their church and presbytery.

Finally, the 1845 Commission appointed to inquire into the affairs of Indians in Canada reported concerning the claim of the Iroquois:

The Roman Catholic Missionary, Mr. J. Marcoux, in his answer to the queries of the Commissioners, renews a claim which has been frequently put forward by these Indians to a portion of the Seigniorship

of La Prairie de la Magdelaine, adjoining their lands at the Sault. This claim has been repeatedly investigated by the officers of the Crown, and in the Courts at Law. It was very fully reported upon by Sir James Kempt in 1830, who shewed that it had been rejected by several judgements of the law courts of Lower Canada, and by three Governors of that Province. The question having been again revived, the line of boundary as established against them, was verified by an order of Lord Sydenham, dated 15th April 1840, upon an approved Report of the Executive Council of that part of the Province, of the 11th September 1839, and your Commissioners Conceive that this decision should be considered final.<sup>28</sup>

And that seemed to settle the matter.

Another dispute involving the Caughnawaga Reserve resulted from the construction of the St. Lawrence Seaway. A certain amount of land belonging to the reserve was required for the project and the Seaway Authority was given approval to acquire 510.3 hectares through expropriation. On March 30, 1955 the elected council at Caughnawaga voted against surrendering

any land. However individual band members began to make settlements with the Authority and by April 1956 three-quarters of the cases had been settled. Meanwhile the band took legal action in an attempt to halt the project but was unsuccessful and on March 6, 1957 the Authority obtained a writ to evict the six remaining Indians who had not agreed to settle. Further legal action continued to be fruitless and in 1959 the band submitted a petition to the United Nations stating that:

the Canadian authorities have deprived and continue to deprive our people of their inherent rights of possession of their land and property by confiscating real and personal property without due process of law and without just, adequate and prompt compensation, in connection with the opening of the St. Lawrence Seaway and other public projects. The method of confiscation is accomplished by brutal force which is unnecessary and unreasonable ....<sup>29</sup>

Negotiations took place between the Authority and the band throughout the 1960s and agreement was finally reached in 1969. Under the terms of the agreement the Indians received \$862,210 and 220.7 hectares of land, valued at \$1,142,969.

Four years later the band received a final settlement for all remaining claims of \$1.56 million and the return of 101.25 hectares of expropriated land.<sup>30</sup>





## APPENDICES

1. Proclamation of 1763
2. An Act for the Better Protection of the  
Lands and Property of the Indians in Lower  
Canada (13-14 Vic., Cap. 42)
3. An Act to Authorize the setting apart of  
Lands for the use of certain Indian Tribes  
in Lower Canada (14-15 Vic., Cap. 106)
4. Extract from the Quebec Lands and Forests  
Act (1922)
5. Settlement and Reserve Population, Quebec.



## Appendix 1.

### A PROCLAMATION OF 1763

George R.

Whereas We have taken into Our Royal Consideration, the extensive and valuable Acquisitions in America, secured to our Crown by the late Definitive Treaty of Peace, concluded at Paris, the 10th Day of February last; and being desirous that all Our loving Subjects, as well of our Kingdom as of our Colonies in America, may avail themselves with all convenient Speed, of the great Benefits and Advantages which must accrue therefrom to their Commerce, Manufactures, and Navigation, we have thought fit, with the Advice of Our Privy Council, to issue this our Royal Proclamation, hereby to publish and declare to all our loving Subjects, that we have, with the Advice of our Said Privy Council, granted our Letters Patent, under our Great seal of Great Britain, to erect, within the Countries and Islands ceded and confirmed to Us by the said Treaty, Four distinct and separate Governments, styled and called by the names of Quebec, East Florida, West Florida and Grenada, and limited and bounded as follows, viz.

First--The Government of Quebec bounded on the Labrador Coast by the River St. John, and from thence by a Line drawn from the Head of that River through the Lake St. John, to the South end of the Lake Nipissim; from whence the said Line crossing the River St. Lawrence, and the Lake Champlain, in 45, degrees of North Latitude, passes along the High Lands which divide the Rivers that empty themselves into the said River St. Lawrence from those which fall into the Sea; and also along the North Coast of the Baye des Chaleurs, and the Coast of the Gulph of St. Lawrence to Cape Rosieres, and from thence crossing the Mouth of the River St. Lawrence by the West End of the Island of Anticosti, terminates at the aforesaid River of St. John.

Secondly--The Government of East Florida, bounded to the Westward by the Gulph of Mexico and the Apalachicola River; to the Northward by a Line drawn from that part of the said River where the Chatahouchee and Flint Rivers meet, to the source of St. Mary's River, and by the course of the said River to the Atlantic Ocean; and to the Eastward and Southward by the Atlantic Ocean and the Gulph of Florida, including all Islands within Six Leagues of the Sea Coast.

Thirdly--The Government of West Florida, bounded to the southward by the Gulph of Mexico, including all Islands within Six Leagues of the Coast, from the River Apalachicola to Lake Pontchartrain; to the Westward by the said Lake, the Lake Maurepas, and the River Mississippi; to the Northward by a Line drawn due East from that part of the River Mississippi which lies in 31 Degrees North Latitude, to the River Apalachicola or Chatahouchee; and to the Eastward by the said River.

Fourthly--The Government of Grenada, comprehending the Island of that name, together with the Grenadines, and the Islands of Dominico, St. Vincent's and Tobago.

And to the end that the open and free Fishery of our Subjects may be extended to and carried on upon the Coast of Labrador, and the adjacent Islands, We have thought fit, with the advice of our said Privy Council, to put all that Coast, from the River St. John's to Hudson's Streights, together with the Islands of Anticosti and Madelaine, and all other smaller Islands lying upon the said Coast, under the care and Inspection of our Governor of Newfoundland.

We have also, with the advice of our Privy Council, thought fit to annex the Islands of St. John's and Cape Breton, or Isle Royale, with the lesser Islands adjacent thereto, to our Government of Nova Scotia.

We have also, with the advice of our Privy Council aforesaid, annexed to our Province of Georgia all the lands lying between the Rivers Alatomaha and St. Mary's.

And whereas it will greatly contribute to the speedy settling our said new Governments, that our loving subjects should be informed of our Paternal care, for the security of the Liberties and Properties of those who are and shall become Inhabitants thereof. We have thought fit to publish and declare, by this Our Proclamation, that We have, in the Letters Patent under our Great Seal of Great Britain, by which the said Governments are constituted, given express Power and Direction to our Governors of our Said Colonies respectively, that so soon as the state and circumstances of the said Colonies will admit thereof, they shall, with the Advice and Consent of the Members of our Council, summon and call General Assemblies within the said Governments respectively, in such manner and Form as is used and directed in those Colonies and Provinces in America which are under our immediate Government; and We have also given Power to the said Governors, with the consent of our Said Councils, and the Representatives of the People so to be summoned as aforesaid, to make, constitute, and Ordain Laws, Statutes, and Ordinances for the Public Peace, Welfare, and good Government of our said Colonies, and of the People and Inhabitants thereof, as near as may be agreeable to the Laws of England, and under such Regulations and Restrictions as are used in other Colonies; and in the mean Time, and until such Assemblies can be called as aforesaid, all persons Inhabiting in or resorting to our Said Colonies may confide in our Royal Protection for the Enjoyment of the Benefit of the Laws of our Realm of England; for which Purpose We have given Power under our Great Seal to the Governors to our said Colonies respectively to erect and constitute, with the Advice of our said Councils respectively, Courts of Judicature and public Justice within our Said Colonies for hearing and determining all Causes, as well Criminal as Civil, according to Law and Equity, and as near as may be agreeable to the Laws of England, with Liberty to all Persons who may think themselves aggrieved by the Sentences of such Courts, in all Civil Cases, to appeal, under the usual Limitations and Restrictions, to Us in our Privy Council.

We have also thought fit, with the advice of our Privy Council as aforesaid, to give unto the Governors and Councils of our said Three new Colonies, upon the Continent full Power and Authority to settle and agree with the Inhabitants of our said new Colonies or with any other Persons who shall resort thereto, for such Lands, Tenements and Hereditaments, as are now or hereafter shall be in our Power to dispose of; and them to grant to any such Person or Persons upon such Terms, and under such moderate Quit-Rents, Services and Acknowledgments, as have been appointed and settled in our other Colonies, and under such other Conditions as shall appear to us to be necessary and expedient for the Advantage of the Grantees, and the Improvement and settlement of our said Colonies.

And Whereas, We are desirous, upon all occasions, to testify our Royal Sense and Approbation of the Conduct and bravery of the Officers and Soldiers of Our Armies, and to reward the same, We do hereby command and empower our Governors of our said Three new Colonies, and all other our Governors or our several Provinces on the Continent of North America, to grant without Fee or Reward, to such reduced Officers as have served in North America during the late War, and to such Private Soldiers as have been or shall be disbanded in America and are actually residing there, and shall personally apply for the same, the following Quantities of Lands, subject, at the Expiration of Ten Years, to the same Quit-Rents as other Lands are subject to in the Province within which they are granted, as also subject to the same Conditions of Cultivation and Improvement; vis.

To every Person having the Rank of a Field Officer ...	5000 acres
To every Captain.....	3,000 acres
To every Subaltern or Staff Officer.....	2,000 acres
To every Non-Commission Officer.....	200 acres
To every Private Man	50 acres

We do likewise authorize and require the Governors and Commanders in Chief of all our said Colonies upon the Continent of North America to grant the like Quantities of Land, and upon the same conditions, to such reduced Officers of our Navy of like Rank as served on board our Ships or War in North America at the times of the Reduction of Louisburg and Quebec in the late War, and who shall personally apply to our respective Governors for such Grants.

And whereas it is just and reasonable, and essential to our Interest, and the Security of our Colonies, that the several Nations or Tribes of Indians with whom We are connected, and who live under our Protection, should not be molested or disturbed in the Possession of such Parts of our Dominions and Territories as, not having been ceded to or purchased by Us, are reserved to them, or any of them, as their Hunting Grounds.--We do therefore, with the Advice of our Privy Council, declare it to be our Royal Will and Pleasure, that no Governor or Commander in Chief in any of our Colonies of Quebec, East Florida, or West Florida, do presume, upon any pretence whatever, to grant Warrants or Survey, or pass any Patents for Lands beyond the Bounds of their Respective Governments, as described in their Commissions; as also that no Governor or Commander in Chief in any of our other Colonies or Plantations in America do presume for the present, and until our further Pleasure be known, to grant Warrants of Survey, or pass Patents for any Lands beyond the Heads or Sources of any of the Rivers which fall into the Atlantic Ocean from the West and North West, or upon any Lands whatever, which, not having been ceded to or purchased by Us as aforesaid, are reserved to the said Indians, or any of them.

... 4



And We do further declare it to be Our Royal Will and Pleasure, for the present as aforesaid, to reserve under our Sovereignty, Protection, and Dominion, for the use of the said Indians, all the Lands and Territories not included within the Limits of Our said Three New Governments, or within the Limits of the Territory granted to the Hudson's Bay Company, as also all the Lands and Territories lying to the Westward of the Sources of the Rivers which fall into the Sea from the West and North West as aforesaid;

And We do hereby strictly forbid, on Pain of our Displeasure, all our loving Subjects from making any Purchases or Settlements whatever, or taking Possession of any of the Lands above reserved, without our especial leave and Licence for that Purpose first obtained.

And, We do further strictly enjoin and require all Persons whatever who have either wilfully or inadvertently seated themselves upon any Lands within the Countries above described, or upon any other Lands which, not having been ceded to or purchased by Us, are still reserved to the said Indians as aforesaid, forthwith to remove themselves from such settlements.

And whereas great Frauds and Abuses have been committed in purchasing Lands of the Indians, to the Great Prejudice of our Interests, and to the great Dissatisfaction of the said Indians; In Order, therefore, to prevent such Irregularities for the future, and to the end that the Indians may be convinced of our Justice and determined Resolution to remove all reasonable Cause of Discontent, We do, with the Advice of our Privy Council strictly enjoin and require, that no private Person do presume to make any Purchase from the said Indians of any Lands reserved to the said Indians, within those parts of our Colonies where, We have thought proper to allow Settlement; but that, if at any Time any of the said Indians should be inclined to dispose of the said Lands, the same shall be Purchased only for Us, in our Name at some public Meeting or Assembly of the said Indians, to be held for that Purpose by the Governor or Commander in Chief of our Colony respectively within which they shall lie; and in case they shall lie within the limits of any Proprietary Government, they shall be purchased only for the use and in the name of such Proprietaries, conformable to such Directions and Instruction as We or they shall think proper to give for that Purpose; And we do, by the Advice of our Privy Council, declare and enjoin, that that Trade with the said Indians shall be free and open to all our Subjects whatever, provided that every Person who may incline to Trade with the said Indians to take out a Licence for carrying on such Trade from the Governor or Commander in Chief of any of Our Colonies respectively where such Person shall reside, and also give Security to observe such Regulations as We shall at any Time think fit, by ourselves or by our Commissaries to be appointed for this Purpose, to direct and appoint for the Benefit of the said Trade;

And we do hereby authorize enjoin, and require the Governors and Commanders in Chief of all our Colonies respectively as well those under Our Immediate Government as those under the Government and Direction of Proprietaries, to grant such Licences without Fee or Reward, taking special Care to insert therein a Condition, that such Licence shall be void, and the Security forfeited in case the Person to whom the same is granted shall refuse or neglect to observe such Regulations as We shall think proper to prescribe as aforesaid.



And we do further expressly enjoin and require all Officers whatever, as well Military as those Employed in the Management and Direction of Indian Affairs, within the Territories reserved as aforesaid for the use of the said Indians, to seize and apprehend all Persons whatever, who standing charged with Treason, Misprisions of Treason, Murders, or other Felonies or Misdemeanors, shall fly from Justice and take Refuge in the said Territory, and to send them under a proper guard to the Colony where the Crime was committed of which they stand accused, in order to take their Trial for the same.

Given at our Court at St. James's the 7th Day of October 1763, in the Third Year of our Reign.

GOD SAVE THE KING

1. Taken from the text as contained in the "Papers Relative to the Province of Quebec, 1791, in the Public Record Office. Copies in the Canadian Archives Q 62A, pt. I, p. 114
2. The attitude of the Home Government at this time, on the subject of immigration, the kind of immigrants to be favoured, and even the need of an outlet for surplus population on the part of some of the older colonies in America, may be gathered from a report of the Lords of Trade, Nov. 5, 1761, upon the proposal to transport a number of Germans to the American Colonies after the peace. They point out that as "regards colonies possessed before the war, the increase of population is such as scarce to leave room in some of them for any more inhabitants. The encouragement and advantages of the less populated southern colonies are such as to induce sufficient migration without burdening the public. Our own reduced sailors and soldiers would be more proper objects of national bounty, and better colonists, than foreigners, whose ignorance of the English language, laws, and constitution cannot fail to increase those disorders and that confusion in our Government, which the too great migration of people from Germany has already fatally introduced in some of our most valuable possessions.

Source: A Proclamation (1763) King George  
Archives Report 1907, Constitutional Documents  
1759-1791 p. 119.  
Indian affairs (RG 10, Volume 10024)



Appendix 2.

1850. 13 and 14 Victoriae, Cap. 42.

An Act for the better protection of the Lands and Property of the Indians in Lower Canada.

(10 August, 1850)

Whereas it is expedient to make better provision for preventing encroachments upon and injury to the lands appropriated to the use of the several Tribes and Bodies of Indians in Lower Canada, and for the defence of their rights and privileges: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada, and it is hereby enacted by the authority of the same, That it shall be lawful for the Governor to appoint from time to time a Commissioner of Indian Lands for Lower Canada, in whom and in whose successors by the name aforesaid, all lands or property in Lower Canada which are or shall be set apart or appropriated to or for the use of any Tribe or Body of Indians, shall be and are hereby vested, in trust for such Tribe or Body, and who shall be held in law to be

in the occupation and possession of any lands in Lower Canada actually occupied or possessed by any such Tribe or Body in common, or by any Chief or Member thereof or other party for the use or benefit of such Tribe or Body, and shall be entitled to receive and recover the rents, issues and profits of such lands and property, and shall and may, in and by the name aforesaid, be subject to the provisions hereinafter made, exercise and defend all or any of the rights lawfully appertaining to the proprietor, possessor or occupant of such land or property: Provided always, that this section shall extend to any lands in Lower Canada now held by the Crown in trust for or for the benefit of any such Tribe or Body of Indians, but shall not extend to any lands now vested in any Corporation or Community legally established and capable in law of suing and being sued, or in any person or persons of European descent, although held in trust for or for the benefit of any such Tribe or Body.

And be it enacted, That all suits, actions or proceedings by or against the said Commissioner shall be brought and conducted by or against him by the name aforesaid only, and shall not abate or be discontinued by his death, removal from office or resignation, but shall be continued by or against his successor in office; and that such Commissioner shall have in each District in Lower Canada, an office which

shall be his legal domicile, and whereat any process, notice or like matter may be legally served upon him, and may appoint such deputy or deputies, and with such powers as he shall from time to time deem expedient, or as he shall be instructed by the Governor to do: Provided always, that no suit or proceeding shall, during one month next after the passing of this Act, be commenced or proceeded with by or against the said Commissioner or any other party, with regard to any lands or property intended to be hereby vested in him, nor shall any prescription or limitation of time within which any proceeding or thing would otherwise require to be commenced, had or done, run or avail against the said Commissioner during the term last aforesaid.

III. And be it enacted, That the said Commissioner shall have full power to concede or lease or charge any such land or property as aforesaid, and to receive or recover the rents, issues and profits thereof as any lawful proprietor, possessor or occupant thereof might do, but shall be subject in all things to the instructions he may from time to time receive from the Governor, and shall be personally responsible to the Crown for all his acts, and more especially for any act done contrary to such instructions, and shall account for all moneys received by him, and apply and pay over the same in such manner, at such times and to such person or officer, as shall be appointed by the Governor, and shall report from

time to time on all matters relative to his office in such manner and form, and give such security, as the Governor shall direct and require: and all moneys and moveable property received by him or in his possession as Commissioner, if not duly accounted for, applied and paid over as aforesaid, or if not delivered by any person having been such Commissioner to his successor in office, may be recovered by the Crown or by such successor, in any Court having civil jurisdiction to the amount or value, from the person having been such Commissioner and his sureties, jointly and severally.

IV. Provided always, and be it enacted, That nothing herein contained shall be construed to derogate from the rights of any individual Indian or other private party, as possessor or occupant of any lot or parcel of land forming part of or included within the limits of any land vested in the Commissioner aforesaid.

V. And for the purpose of determining any right of property, possession or occupation in or to any lands belonging or appropriated to any Tribe or Body of Indians in Lower Canada, Be it declared and enacted: That the following classes of persons are and shall be considered as Indians belonging to the Tribe or Body of Indians interested in such lands:



First. - All persons of Indian blood, reputed to belong to the particular Body or Tribe of Indians interested in such lands, and their descendants.

Secondly. - All persons intermarried with any such Indians and residing amongst them, and the descendants of all such persons.

Thirdly. - All persons residing among such Indians, whose parents on either side were or are Indians of such Body or Tribe, or entitled to be considered as such: And

Fourthly. - All persons adopted in infancy by any such Indians, and residing in the Village or upon the lands of such Tribe or Body of Indians, and their descendants.

VI. And be it enacted, That the Interpretation Act shall apply to this Act.



### Appendix 3.

1851. 14 and 15 Victoriae, Cap. 106.

An Act to authorize the setting apart of Lands for the use of certain Indian Tribes in Lower Canada.

(30 August, 1851)

Whereas it is expedient to set apart certain Lands for the use of certain Indian Tribes resident in Lower Canada: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada, and it is hereby enacted by the authority of the same, That tracts of Land in Lower Canada, not exceeding in the whole two hundred and thirty thousand Acres, may, under orders in Council to be made in that behalf, be described, surveyed and set out by the Commissioner of Crown Lands, and such tracts of Land shall be and are hereby respectively set apart and appropriated to and for the use of the several

Indian Tribes in Lower Canada, for which they shall be respectively directed to be set apart in any order in Council, to be made as aforesaid, and the said tracts of Land shall accordingly, by virtue of this Act, and without any price or payment being required therefor, be vested in and managed by the Commissioner of Indian Lands for Lower Canada, under the Act passed in the Session held in the thirteenth and fourteenth years of Her Majesty's Reign, and intituled, An Act for the better protection of the Lands and Property of the Indians in Lower Canada.

II. And be it enacted, That there shall be paid yearly out of the Consolidated Revenue Fund of this Province, a sum not exceeding One Thousand Pounds currency, to be distributed amongst certain Indian Tribes in Lower Canada by the Superintendent General of Indian affairs, in such proportions amongst the said Indian Tribes, and in such manner as the Governor General in Council may from time to time direct.

#### Appendix 4.

##### QUEBEC LANDS AND FORESTS ACT CH. 37 (1922)

###### An Act concerning lands set apart for Indians.

65 The Lieutenant-Governor in Council may reserve and set apart, for the benefit of the various Indian tribes of this Province, the usufruct of public lands described, surveyed and classified for such purpose by the Minister of Lands and Forests. R.S. 1941, c. 93, s. 67 (part).

66 The extent of such public lands shall not exceed, in all, three hundred and thirty thousand acres in superficies. R.S. 1941, c. 93, s. 67 (part).

67 The usufruct of the lands described, surveyed and classified by the Minister of Lands and Forests shall be transferred, gratuitously and on such conditions as he may determine, by the Lieutenant Governor in Council to the Government of Canada to be administered by it in trust for the said Indian tribes.

Such usufruct shall be alienable, in whole or in part, and the lands subjected thereto shall return to the Government of this Province, without any formality whatsoever, from and after the date when the Indians to whom they have been assigned in usufruct by the Government of Canada cease to occupy them as usufructuaries.

Mining rights shall not be included in such concession, notwithstanding the absence of any mention to that effect.

Nor shall any such reserve be granted or taken out of any territory under license to cut timber, unless the consent of the license-holder shall be first obtained. R.S. 1941, c. 93, s. 67 (part).

Source: Statutes of Quebec.





# Appendix 5. Settlement and Reserve Population, Quebec.

Source: Canada, Census 1981

Reserve or Settlement	Indian Group	Population
Betsiamites	Montagnais	1875
Cacouna	Malecite	109 *
Chisasibi	Cree	1628 *
Doncaster		5
Eastmain	Cree	328
Grand Lac Victoria	Algonquin	26 *
Hunters Point	Algonquin	37 *
Kahnawaké	Iroquois	5218
Kipawa	Algonquin	186 *
Lac Simon	Algonquin	448
Les Escoumins	Montagnais	117
Longue Pointe	Algonquin	241
Lorette	Huron	960
Malioténam	Montagnais	766
Maniwaki	Algonquin	714
Manouane	Tête de Boule	960
Maria	Micmac	317
Mingan	Montagnais	274
Mistassini	Cree	1690
Natashquan	Montagnais	415
Nemaska	Cree	108 *
Obedjiwan	Tête de Boule	803
Odanak	Abenaki	232
Oka	Iroquois	618
Pikogan	Algonquin	334
Poste-de-la-Baleine	Cree	379 *

<u>Reserve or Settlement</u>	<u>Indian Group</u>	<u>Population</u>
Rapid Lake	Algonquin	249 *
Restigouche	Micmac	1091
Romaine	Montagnais	583
Rupert House	Cree	1025 *
St. Regis	Iroquois	1370
Schefferville	Montagnais	387 *
	Naskapi	372 *
Sept-Iles	Montagnais	517
Timiskaming	Algonquin	287
Waswanipi	Cree	547
Wemindji	Cree	609 *
Weymontachingue	Tête de Boule	542
Wolinak	Abenaki	44

\* Source: Annuaire du Québec, 1979-80, 57th  
edition, Table 38, p. 249.

## ENDNOTES

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- 2 For a more detailed account of Indian policy during this period, see Daniel Francis, A History of the Native Peoples of Quebec 1760-1867 (Ottawa: Indian and Northern Affairs Canada, 1983).
- 3 This list is based on Commission d'Etude sur l'Intégrité de Territoire du Québec, Vol. 4: Le Domaine Indien (Quebec: 1971); Toby Ornstein, et. al., The First Peoples in Quebec, Vol. 3 (Montreal: Thunderbird Press, 1973); Schedule of Indian Bands, Reserves and Settlements (Ottawa: Indian and Northern Affairs Canada, April 1, 1983); Reserve General Registry Files, Ottawa, Indian and Northern Affairs Canada.
- 4 Canada, Public Archives (hereinafter cited as PAC), RG 10 A3, Vol. 429, p. 30251.
- 5 PAC, RG10 A3, Vol. 494, pp. 31028-31031.
- 6 Great Britain, Parliamentary Papers, "Correspondence Relating to Canada, 1839", ("Report of a Committee of the Executive Council respecting the Indian Department, 1836"), Enclosure.

- 7 Ibid., p. 260.
- 8 PAC, RG10, Vol. 10024, Report to Privy Council by H.L. Langevin, Oct. 9, 1868.
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- 13 Richard C. Daniel, A History of Native Claims Processes in Canada, 1867-1979 (Ottawa: Indian and Northern Affairs Canada, 1980), p. 83.
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22 Ibid., p. 71.

23 Wm. N. Fenton and Elizabeth Tooker, "Mohawk" in  
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24 E.J. Devine, Historic Caughnawaga (Montreal: The  
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25 Quoted in Ibid., p. 339.

26 Ibid.

27 Ibid., p. 344.

28 "Report on the Affairs of the Indians in Canada",  
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29 Quoted in O.Z. Ghobashy, The Caughnawaga Indians and  
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